

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|  |   |                         |
|--|---|-------------------------|
| DAVID HICE, JOSEPH MOORE, and            | ) |                         |
| CHRISTINA BARLOW, individually, and on   | ) |                         |
| behalf of all others similarly situated, | ) |                         |
|  | ) |                         |
| Plaintiffs,                              | ) |                         |
|  | ) |                         |
| v.                                       | ) | Civil Action No. 24-896 |
|  | ) |                         |
| EQT CORPORATION, a Pennsylvania          | ) |                         |
| Corporation, EQT PRODUCTION              | ) |                         |
| COMPANY, a Pennsylvania corporation, and | ) |                         |
| BEUSA HOLDINGS INC., a Delaware          | ) |                         |
| corporation,                             | ) |                         |
|  | ) |                         |
| Defendants.                              | ) |                         |

**ORDER**

AND NOW, this 15th day of November, 2024, upon consideration of Plaintiffs' Motion for Leave to Temporarily File Under Seal Unpublished Data in the Preliminary Report of John Stolz, PH.D (Docket No. 50) and EQT Corporation and EQT Production Company's response thereto (Docket No. 51), it is hereby ORDERED that said motion is GRANTED provisionally. Plaintiffs are permitted to file under seal Dr. Stolz's unpublished proprietary data, related figures, and charts plotting such data, in support of Plaintiffs' Motion for Preliminary Injunction.

If Plaintiffs elect to file these materials under seal, they shall simultaneously provide full, unredacted copies to Defendants and to the Court. Defendants shall not use these sealed materials (or the contents thereof) except for the purpose of this civil action, nor shall Defendants distribute, transmit, or otherwise divulge these materials to any person or entity, except that these materials may be shared with and used by counsel, expert witnesses, and retained consultants, along with party representatives with a good faith need to possess and/or use such materials in

connection with this civil action, provided that each recipient of these materials remains similarly bound by the restrictions on use and distribution set forth in this Order. The parties are strongly encouraged to propose a stipulated by protective order for the Court's consideration pursuant to Federal Rule of Civil Procedure 26, *see Pansy v. Borough of Stroudsburg*, 23 F.3d 772 (3d Cir. 1994) and *Glenmede Trust Co. v. Thompson*, 56 F.3d 476, 483 (3d Cir. 1995), and nothing in this Order shall preclude the parties from agreeing to modify the terms of use and non-disclosure set forth herein.

This Order may be vacated, and sealing lifted, for cause shown upon the motion of any party or other person with a recognized interest, or after due notice by the Court upon the Court's own motion. Plaintiffs shall be prepared to justify ongoing sealing of these materials in accordance with the Federal Rules of Civil Procedure, the Local Rules, this Court's published Practices and Procedures ([https://www.pawd.uscourts.gov/sites/pawd/files/Practices\\_Procedures\\_Judge\\_Hardy\\_10\\_21.pdf](https://www.pawd.uscourts.gov/sites/pawd/files/Practices_Procedures_Judge_Hardy_10_21.pdf)), and controlling precedent. *See In re Avandia Mktg., Sales Practices & Prods. Liab. Litig.*, 924 F.3d 662, 672 (3d Cir. 2019) and its progeny.

/s/ W. Scott Hardy

W. Scott Hardy

United States District Judge